IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(C).No. 28176 of 2007(D)

PETITIONERS:

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1. VALSAMMA KOSHY, W/O. KOSHY THARAKAN,
   AGED 39 YEARS, KANJAMANAVILAYIL,
   MYNAGAPALLY VILLAGE, MYNAGAPALLY P.O.,
   KOLLAM DISTRICT.

2. KUNJUMOL, D/O. YOHANNAN, AGED 53 YEARS,
   MANTHUNDIL VEETTIL, MYNAGAPPALLY VILLAGE,
   MYNAGAPPALLY P.O., KOLLAM DISTRICT.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.PAUL JACOB (P)
SRI.ROSHEN.D.ALEXANDER
SRI.NAVEEN SHERRY LUKOSE

RESPONDENTS:

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1. DISTRICT COLLECTOR,
   COLLECTORATE, KOLLAM.

2. REVENUE DIVISIONAL OFFICER,
   COLLECTORATE, KOLLAM.

3. VILLAGE OFFICER,
   MYNAGAPALLY VILLAGE, MYNAGAPALLY P.O.

4. GEOLOGIST,
   DEPARTMENT OF MINING AND GEOLOGY, KOLLAM.

5. THE SECRETARY,
   MYNAGAPALLY GRAMA PANCHAYAT, MYNAGAPALLY P.O.,
   KOLLAM DISTRICT.

6. THOMAS VAIDYAN, S/O. KOSHY VAIDYAN,
   THAYYIL PUTHEN PURACKAL VEETTIL,
   KADAPPA THEKKUMMURIYIL, MYNAGAPALLY VILLAGE,
   MYNAGAPALLY P.O., KOLLAM DISTRICT.

7. GEEVARGHESE VAIDYAN, S/O. KOSHY VAIDYAN,

THAYYIL PUTHEN PURACKAL VEETTIL,
KADAPPA THEKKUMMURIYIL, MYNAGAPALLY VILLAGE,
MYNAGAPALLY P.O., KOLLAM DISTRICT.

8. PHILIP VAIDYAN, S/O. KOSHY VAIDYAN,
THAYYIL PUTHEN PURACKAL VEETTIL, KADAPPA
THEKKUMMURIYIL, MYNAGAPALLY VILLAGE,
MYNAGAPALLY P.O., KOLLAM DISTRICT.

9. JACOB VAIDYAN, S/O. KOSHY VAIDYAN,
THAYYIL PUTHEN PURACKAL VEETTIL,
KADAPPATHEKKUM MURI, MYNAGAPALLY VILLAGE,
MYNAGAPALLY P.O., KOLLAM DISTRICT.

10. ANNAMMA KOSHY,
MAPPILA VEETTIL THAYYIL PUTHEN VEETTIL,
KIZHAKKEKARA MURI, MYNAGAPALLY VILLAGE,
MYNAGAPALLY P.O., KOLLAM DISTRICT.

11. KUNJANDI VAIDYAN,
MAPPILA VEETTIL THAYYIL PUTHEN VEETTIL,
KIZHAKKEKARA MURI, MYNAGAPALLY VILLAGE,
MYNAGAPALLY P.O., KOLLAM DISTRICT.

R1 TO R4 BY GOVT. PLEADER MR. I.V. PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 28176 OF 2007 D
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Dated this the 24th September, 2007

J U D G M E N T

The complaint of the petitioners is that respondents 6 to 11 are removing laterite soil from the neighbouring property. In this behalf it is stated that the petitioners have filed complaints before respondents 1 to 5 also. It is complained that while there is inaction on the complaints, large scale removal of laterite soil continues unabated.

2. I see no reason to entertain the writ petition in view of the fact that if the petitioner is aggrieved by any illegality committed by respondents 6 to 11 in the removal of soil as alleged, the proper course is to approach the civil court and obtain appropriate reliefs. There is absolutely no reason to entertain this writ petition.

3. Be that as it may, the petitioners submit that representations are pending before the 4th respondent. If any such representation is pending, it is for the

authority concerned to deal with such representation about which I do not wish to express any opinion.

ANTONY DOMINIC
JUDGE

jan/-